

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI**

ROBERT C. SCHLEMMER,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. _____
	)	
ST. ANTHONY'S MEDICAL CENTER,	)	
	)	
Defendant.	)	

**COMPLAINT**

**(Personal Injury - Medical Malpractice)**

Now comes the plaintiff, ROBERT C. SCHLEMMER, by his attorneys, STRELLIS & FIELD, CHARTERED, and for his Complaint against the defendant, ST. ANTHONY'S MEDICAL CENTER, alleges as follows:

1. That the plaintiff, ROBERT C. SCHLEMMER, is a citizen of the County of Monroe, State of Illinois, in the Southern District of Illinois.
2. At all time pertinent hereto, the defendant, ST. ANTHONY'S MEDICAL CENTER, maintained and operated a hospital providing medical treatment, through its agents, employees and servants, to patients in the County of St. Louis, State of Missouri, in the Eastern District of Missouri.
3. Jurisdiction of this court is invoked pursuant to Title 28 United States Code, Section 1332(a). The matter in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00).
4. That on or about June 26, 2005, the plaintiff, ROBERT C. SCHLEMMER, became a patient of the defendant, ST. ANTHONY'S MEDICAL CENTER, for the treatment of an injury to his back, which treatment was administered in the County of St. Louis, State of Missouri, in the Eastern District of Missouri.

5. That on or about June 26, 2005, while the plaintiff was under the care of the defendant, ST. ANTHONY'S MEDICAL CENTER, two (2) blood cultures were performed by and through agents, employees and servants of the defendant.

6. That on or about June 27, 2005, defendant, ST. ANTHONY'S MEDICAL CENTER, by and through its agents, employees and servants, discovered gram-positive cocci growing in the two (2) blood cultures.

7. That on or about June 28, 2005, prior to plaintiff being discharged from the care of the defendant, ST. ANTHONY'S MEDICAL CENTER, the two (2) blood cultures were identified by defendant, ST. ANTHONY'S MEDICAL CENTER, by and through its agents, employees and servants, as oxacillin sensitive *Staphylococcus aureus*.

8. At times pertinent hereto, it was the duty of the defendant, ST. ANTHONY'S MEDICAL CENTER, by and through its agents, employees and servants, to administer to the plaintiff, ROBERT C. SCHLEMMER, proper and adequate care as established by the medical community and timely notify plaintiff's treating physician:

(a) That on June 27, 2005 gram-positive cocci were discovered growing in the two blood cultures obtained from the plaintiff; and/or

(b) That on June 28, 2005, the gram-positive cocci were identified as oxacillin sensitive *Staphylococcus aureus* growing in the blood of the plaintiff.

9. That the defendant, ST. ANTHONY'S MEDICAL CENTER, by and through its agents, employees and servants, varied from the standard of care and was negligent in one or more of the following manners:

(a) Negligently and carelessly failed to timely notify plaintiff's attending physician of the gram-positive cocci growing in the blood of plaintiff, ROBERT C. SCHLEMMER.

(b) Negligently and carelessly failed to timely notify plaintiff's attending physician of the gram-positive oxacillin sensitive *Staphylococcus aureus* growing in the blood of plaintiff, ROBERT C. SCHLEMMER.


(c) Negligently and carelessly failed to provide an adequate procedure for notifying attending physicians of the results of blood work performed on patients admitted into ST. ANTHONY'S MEDICAL CENTER.

10. That as a direct and proximate result of the negligent and careless variance from the standard of care by the defendant, ST. ANTHONY'S MEDICAL CENTER, the plaintiff,

ROBERT C. SCHLEMMER, was discharged from ST. ANTHONY'S MEDICAL CENTER without receiving treatment for the infection of oxacillin sensitive Staphylococcus aureus growing in the blood of the plaintiff, ROBERT C. SCHLEMMER; said infection remained untreated for several weeks and spread throughout his body; ROBERT C. SCHLEMMER suffered permanent and debilitating injuries to his back, kidneys, liver, brain, nervous system, skeletal system and various other parts of his body; by reason of the injuries, he was compelled to expend and become liable for a sum in excess of Two Hundred Thousand Dollars (\$200,000.00), for hospital, medical and surgical services, nursing home and nursing care and attention in and about endeavoring to become healed and cured of his injuries and will be compelled to expend large sums of money in the future for additional medical services; he was and will be hindered and prevented from attending to his usual duties and affairs; he has lost and will lose large sums of money which would otherwise have accrued to him; and he has suffered and will continue to suffer great pain in the future; has suffered and will in the future suffer a loss in his enjoyment of life, all to the great damage of the plaintiff, ROBERT C. SCHLEMMER.

WHEREFORE, the plaintiff, ROBERT C. SCHLEMMER, demands judgment against the defendant, ST. ANTHONY'S MEDICAL CENTER, in excess of Two hundred and Seventy-five Thousand Dollars (\$275,000.00), plus costs of his suit.

STRELLIS & FIELD, CHARTERED

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**PLAINTIFF DEMANDS TRIAL BY JURY**